

**WISHA ADVISORY COMMITTEE (WAC)**  
**MEETING MINUTES**  
**February 8, 2006**  
**L&I Headquarters Building, Auditorium**

**Members Present:** Randy Loomans, International Union of Operating Engineers, Local 302; Sharon Ness, United Staff Nurses Local 141; Claude Golden, The Boeing Company; Tom Egan, Board of Industrial Insurance Appeals; Ed Wood, Jr., Communication Workers of America Local 7818; Bob Abbott, WA and Northern Idaho District Council of Laborers; Glen Foresman, Top Food & Drug and Steve Cant, Department of Labor & Industries

**Members Not Present:** Tim Gottberg, GLY Construction and Michael Roozen, Washington Bulb Company

**Guests:** Terry Reid and Julie Pyatt, Department of Health; Nikki Cross, Washington Self-Insured Association; Mark Johnson, Washington Retail Association; Janice Camp, University of Washington; Donovan Quebedeaux, Building Industry Association of Washington; Gregory Chryst, OSHA Region X; Ann Jarvis, ABC of Western Washington; Bill Kessler, TOC Management Services and Grant Nelson, Association of Washington Business

**Staff Present:** Barbara Silverstein, Anne Soiza, Ken Mettler, Gail Hughes, Mel James, Janet Kenney, Don Green, Elaine Fischer and Ron Langley

**Recorder:** Gerald Franks

Opening Remarks – Steve Cant

Steve presented a plaque to Randy Loomans commemorating her eight years of service on the WAC representing the Washington State Labor Council. Randy now represents the International Union of Operating Engineers, Local 302.

New Organization

The WISHA Services Division has been restructured and renamed the Division of Occupational Safety and Health (DOSH). We believe this new name will be more recognizable to the public and announce that changes are occurring within the division. Steve mentioned that changeover costs would be minimal and we are looking at making the change by this spring. The committee was favorable to the change.

The new safety and health organization connects both enforcement and consultation staff in the field directly to management and support in the central office. WISHA inspectors and consultants will continue to report to a manager or supervisor in the field offices. However, rather than reporting to the regional administrator, that manager or supervisor will report directly to a manager in the central office. Mel James will manage the statewide consultation and cooperative partnership programs. Lorne Sanford will manage the statewide compliance and specialty area programs. The regional appeals hearing officers will report directly to Nancy Bell in the central office. Janet Kenney is the acting manager of WISHA Operations which includes appeals, discrimination, data and performance management and Federal OSHA liaison. The division ergonomists are now reporting only to the consultation or outreach programs. Dan McMurdie will manage high voltage, explosives and maritime along with enforcement support and policy. The Policy and Technical Services program has been disbanded and staff reassigned to other programs. Steve said we expect to improve our consistency and better coordinate

services to our customers with these changes. Training and skill building will be given a higher priority; we are sending several individuals to the OSHA Training Institute in the next few months to take an advanced investigators course. A suggestion was made to provide contact information for the program managers on the organization chart. *Gerald will e-mail manager contact information to members and interested parties in the near future.*

#### Legislative Update

- SHB 2538 and SSB 6263 (Warrants): these agency request legislation bills are out of committee with language agreeable to both business and labor. OSHA was informed of the details of the bills in a recent teleconference and we plan to formally submit the language to them if the legislation is signed into law. (Note: later in the legislative session SHB 2538 passed and has been signed into law effective June 7, 2006.)
- SHB 1672 and SSB 6595 (Safe Patient Handling): these bills are also out of committee and would mandate safer procedures for lifting patients in hospitals and nursing homes. Employers would have four years to comply with the new requirements. (Note: later in the legislative session SHB 1672 passed and has been signed into law; it is administered by the Department of Health.)

#### **Smoking Initiative 901 – Terry Reid and Julie Pyatt, DOH**

Terry is the manager of the Tobacco Prevention Control Program at the Department of Health (DOH). He was invited to talk and answer questions about Initiative 901, the new law passed in 2005 that prohibits smoking in public and work places. Reducing tobacco-related disease has been a priority for DOH for the past five years and Terry feels that the new law will decrease exposure to secondhand smoke and give smokers an additional incentive to quit. The law also creates a 25 foot no smoking zone away from public entrances. Enforcement for businesses will be the responsibility of local health departments and prosecuting attorneys. Enforcement relative to individual smokers is up to local law enforcement. DOH has played a role of supporting public awareness of the new law. So far, DOH has seen a 90-95% employer compliance rate and the number of complaints has been relatively small. DOH has been providing an increased level of education and outreach on the new law to business and labor groups. Terry said the business impact has been generally positive on employers in other areas around the country that have established smoking bans in recent years. Terry distributed a progress report and frequently asked questions information sheet and said that his staff would be happy to provide technical assistance on request.

Steve said that the Attorney General's office is preparing an extensive question and answer guide for the public in response to formal requests for their opinion on several aspects of the new law. *We will submit a copy of this Q&A to the committee and interested parties when available.* Steve mentioned that we have formally requested feedback from DOH, by the end of February, on adjustments they believe are needed to our indoor air quality standard to conform to the requirements of the initiative. We will keep the committee informed of any rule adjustments.

#### **Education and Outreach; SHARP Update – Anne Soiza, Barbara Silverstein**

Anne provided brochures for the second annual Agriculture Safety Day on March 1 in Yakima. This year's conference will feature a number of safety and health topics. Anne mentioned that new safety and health training modules are now available on our website and that four or five new modules are available each month.

Barbara provided a number of SHARP informational brochures including fatalities assessment reports and a pamphlet/poster on the dangers of carbon monoxide when using and working around gas, propane and diesel-powered forklifts. SHARP has begun a "needs assessment"

study of the collision repair industry. They have determined that this industry is a good candidate for a “research to practice” intervention comprised of both an educational campaign and technical assistance. Barbara said they would be working with the University of North Carolina on the project. She indicated that a final report should be available in 2007.

#### **GMAP Update – Janet Kenney**

GMAP stands for Government Management Accountability and Performance. This is the Governor’s initiative to make sure all public agencies are doing a consistent performance evaluation process that looks at identifying problems and getting resources directed into those areas to improve services to the public. Janet provided an informational handout of our worker safety and health key measures. These measures are still evolving as we determine the most effective use of safety and health resources, such as significantly increasing onsite consultation visits to small businesses. We are also planning to increase staff training on industry specific hazards and work processes in the agency five-year strategic plan currently under development and will share that information with the committee when available.

Janet mentioned that Gary Weeks will be leading a presentation on workplace safety and health encompassing both WISHA and SHARP at the Governor’s GMAP meeting on April 5<sup>th</sup> at the legislative building. Steve pointed out that improving workplace safety and health is one of the Gary’s top priorities. We will distribute a copy of the presentation when available.

#### **WAC Roles and Responsibilities Discussion – All**

This discussion was requested by committee members in November. Steve distributed a copy of the RCW that describes the make-up of the committee and its duties (making comments on agency rulemaking, safety and health studies, etc). Steve wanted the committee’s thoughts on what topics they want to discuss at future meetings and/or specific areas they would like to focus on. The consensus of the committee was that they would like to return to setting goals and priorities to reduce workplace injuries and illnesses in industries where they are most occurring. The committee would also like more input and direction from the director on what their role should be and that the priorities they establish would be the main subject of future meeting agendas.

Steve suggested a briefing work session for the WAC to present information and background material to prepare members for their discussion on selecting priorities for the WAC to focus on at the next regular meeting in June. The committee agreed to have a work session. Additionally, we will provide pandemic preparedness information, along with other materials.

#### **Heat Stress Related Issues – Steve Cant**

Steve said the main reason for proposing emergency rulemaking on heat stress was that WISHA’s indoor temperature rules do not apply to the outdoor environments and there was not time to propose a permanent rule change in time for the upcoming growing season. The emergency rule would be in effect from July to September and have a limit of 120 days. The agency plans to work with a variety of business and labor organizations on the proposed rule with an intensive education campaign. The proposed new rule would be coordinated with existing safety and health standards related to drinking water, indoor temperature control, accident prevention, etc. We are also discussing the possibility of having a single heat stress rule that would pull all the requirements together into one rule. Steve said that at recent meetings with business and labor groups, and an extensive presentation at a recent Construction Advisory Committee meeting, the draft proposal of the heat stress rule received over 250 favorable comments from in-state stakeholders and several thousand comments from out of state

supporting doing something to reduce heat stress injuries. We received approximately 40 comments in opposition to the rule.

The committee commented that they would like the agency to continue this intensive dialog period and they would like to be kept informed on each step of the rulemaking process. A second draft of the rule will be produced in the next few months and Steve encouraged the members to contact him if they have any questions. A SHARP report on heat related illnesses related to workers' compensation claims from 1995-2004 was also provided to the group. Steve also mentioned that WISHA's external website has considerable information and materials on heat related illness.

Steve said that internal discussions are ongoing on the development of an awareness calendar for employers to give them a heads-up on seasonal workplace safety and health issues. We are also discussing ways to improve the process of distributing Hazard Alerts to business and labor groups.

### **MISCELLANEOUS**

Steve said that we will provide a breakdown of safety and health violations per industry via e-mail to the committee and interested parties distribution list as requested at a previous meeting.

### **Next Meeting – All**

The next regular meeting of the WAC will be held on June 14, 2006, from 9:00 a.m. to noon in room S117 of the L&I headquarters building.

With no further business, the meeting was adjourned.

### **Action Items:**

<b>WHO</b>	<b>WHAT</b>
<b>Gerald Franks</b>	<b>E-mail the committee and interested parties contact information for WISHA managers. (COMPLETED)</b>

### **Future meetings:**

September 13, 2006, room S126

November 8, 2006, room S126